

## **ARCHITECTURAL CONTROL GUIDELINES**

### **July 2014**

It is the policy of the Board of Directors of Hallcrest Heights to review and update the community's Architectural Control Guidelines every two years so that all owners and residents are familiar with requirements. It is important to understand that the basic documents in this process are:

- Code of Virginia, Title 55, Property and Conveyances; Chapter 26, Property Owners Association Act; Section 55-513, Adoption and enforcement of rules.
- Articles of Incorporation, Hallcrest Heights Associates, Inc.
- Corporate By-Laws
- Deed & Covenants
- Succeeding Guidelines & Operating Rules, as updated.

This document is in the last category cited. The key guideline is and will continue to be: "Exterior areas should be well-maintained and kept in a structurally sound and secure manner, including backyards and fenced areas." The implementation of this has evolved to be an Architectural Control inspection conducted each spring by a trained group of owners, whose reports consistently show what is a clear violation, plus a sub-set of cautions relating to areas that owners and residents should be aware of to take appropriate maintenance action. Homes that do not receive a report are judged not to have any items in these two categories.

Notices stemming from this review trigger a 60-day period during which corrective action must be taken, or sufficient notice given the Architectural Control Committee as to any delay or request for deferment. Barring such response, a certified mail notice of resulting charges will be sent. The aforementioned Virginia code provides a charge of \$50 per instance, or a \$10/day (up to ninety days) charge on a continuing (or previously noted) violation. If no action is taken by the owner, the Association is authorized to place a lien on the property.

The Association has established a four to five member Architectural Control Committee, chaired by the Board member whose function is AC. This committee will meet once each quarter to review the status of violations and responses, making recommendations to the Board as appropriate.

The goal in this whole process is to have a well-maintained and attractive community that sustains property values and any resulting sales activities. The process is designed to be clear, fair and consistent. Any owner with substantive comment on any part of this process may, with notice, appear before the Board. While the Board has adopted an attitude of flexibility, the basic rule is that any change whatsoever to the outside appearance of each home or yard must be approved in advance by the Architectural Control Committee. Without such approval, a violation may occur. Such approval will be conditioned upon a drawing or specification of color or material to be used, or item to be replaced.

Since a number of strictures in the original documents have become anachronistic, or outdated by technology or material changes, the Board has adopted a series of policies that clarify these - such as the changes in window design, use of large antennas, banning of pick-up trucks, or brick, roof, and paint styles or colors. What follows is a list of clear violations as well as those areas of maintenance problems that should be addressed before they become violations.

Non-compliance in the following areas are determined to be a violation:

- A change, without notice or approval, to the outside appearance of the home or yard.
- A previous year violation which remains unaddressed.
- Paint colors: the front door, storm door (if one exists) and shutters must be the same color. The trim (to include gutters and downspouts) are usually a lighter color. Paint colors must be in the Williamsburg style, either traditional (darker) or buttermilk (pastels).
- Brick walls - side or rear: crumbling mortar, missing or loose bricks. If a wall is leaning, it must be repaired or replaced.
- Stockade fence/gate: must be in good repair, no missing slats, working secure gate; no paint or stain.
- Trees and landscaping, both in front and back yards, must be kept trimmed/pruned. No limbs or vines blocking gutters or overhanging walls or a neighbor's property.
- Front stoop, steps and walkway: in good repair, no recycling bins, bikes, toys or tools.
- Any clear evidence of a neglected maintenance problem.

The following areas, depending on the severity of the condition, are considered maintenance problems that could become violations and thus constitute a warning or caution:

- Faded or peeling paint.
- Signs of rot or deterioration of wood trim.
- Deterioration of soffit and fascia boards, either front or rear.
- Loose railings or developing rust spots.
- Roof (shingle or metal) showing signs of wear or discoloration.
- Outdoor lights, mailbox or address plates in need of updating.
- Non-maintained front, side or rear garden areas.
- Trash cans left out in alleys beyond days of trash collection.

The above listings are in addition to the strictures in the covenants concerning auto repair, political signage, flags, excessive noise, or missing permits or other matters covered in the new parking policy.